

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

MAXIE MCNABB,)
)
Plaintiff,)
)
v.) **CIVIL ACTION NO. 2:06cv664-MHT**
)
SANDERS LEAD COMPANY, INC.,)
)
Defendant.)

REPORT OF PARTIES PLANNING MEETING

1. Pursuant to Fed. R. Civ. P. 26(f), a meeting of the parties' was held on November 27, 2006 by telephone conference and by facsimile copies exchanged by counsel by:
 - a.) On behalf of the Plaintiff, Roderick T. Cooks, Esq., WINSTON COOKS, LLC, The Penick Building, 319 17th Street North, Birmingham, Alabama 35203.
 - b.) On behalf of the Defendant, Matthew M. Baker, Cervera, Ralph & Reeves, LLC, P.O. Box 325, Troy, Alabama, 36081.
2. Pre-Discovery Disclosures: The parties will exchange by January 8, 2007, the information required by Fed. R. Civ. P. 26(a)(1).
3. Discovery Plan: The parties jointly propose to the Court the following discovery plan:
 - a.) Discovery will be needed on the following subjects: all matters, not privileged, addressed in the parties' pleadings, including the Plaintiff's allegations and the Defendant's defenses, causation, and damages.
 - b.) All discovery commenced in time to be completed by June 30, 2007.

c.) Maximum of thirty (30) interrogatories by each party to any other party.

Responses due thirty (30) days after service.

d.) Maximum of thirty (30) requests for admission by each party to any other party.

Responses due thirty (30) days after service.

e.) Maximum of thirty (30) requests for production by each party to any other party.

Responses due thirty (30) days after service.

f.) Maximum of ten (10) depositions per party.

g.) Each deposition, other than of a party, limited to a maximum of eight (8) hours unless extended by agreement of the parties.

h.) Reports from retained experts under Rule 26(a)(2) due:

i.) From the Plaintiff by May 15, 2007.

ii.) From the Defendant by June 15, 2007.

i.) Supplementation under Rule 26 are due thirty (30) days before the close of discovery or as soon as reasonably practical after the information or documents are discovered.

4. Other Items:

a.) The parties do not request a conference with the Court before entering of the Scheduling Order.

b.) The Parties request a Pre-Trial Conference in October, 2007.

c.) The Plaintiff should be allowed until March 31, 2007 to join additional parties and until April 30, 2007 to amend the pleadings.

d.) The Defendant should be allowed until April 15, 2007 to join additional parties and until May 15, 2007 to amend the pleadings.

e.) All potentially dispositive motions should be filed no later than ninety (90) days prior to the Pre-Trial Hearing.

f.) Settlement may be enhanced by the use of the following alternative dispute resolution procedure: mediation. Settlement however cannot be evaluated prior to January 8, 2007.

g.) Final list of witnesses and exhibits under Rule 26(a)(3) should be served and filed twenty-one (21) days prior to trial.

h.) Parties should have seven (7) days after service of final lists of witnesses and exhibits to list objections under Rule 26(a)(3).

i.) The case should be ready for trial during the November, 2007 term and is expected to take approximately three (3) days by the Plaintiff's estimate and three (3) days by the Defendant's estimate.

s/ Grady A. Reeves

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s/ Roderick T. Cooks

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